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23 **UNITED STATES DISTRICT COURT**
24 **DISTRICT OF NEVADA**

25 U.S. EQUAL EMPLOYMENT
26 OPPORTUNITY COMMISSION,

27 Plaintiff,

28 vs.

MARISCOS EL PUERTO, INC., LA
CATRINA, LLC; and DOES 1-10,
inclusive,

Defendants.

Case No.: 2:23-cv-01309-JCM-NJK

**STIPULATION TO CONTINUE
THE EARLY NEUTRAL
EVALUATION DEADLINE AND
TO RESCHEDULE THE EARLY
NEUTRAL EVALUATION
SESSION**

1 IT IS HEREBY STIPULATED AND AGREED, by the U.S. EQUAL
2 OPPORTUNITY COMMISSION (“EEOC”), by and through its counsel of record,
3 LORENA GARCIA-BAUTISTA, ESQ., and MARISCOS EL PUERTO, INC. and
4 LA CATRINA, LLC (collectively, “Defendants”), by and through their counsel of
5 record, JOSHUA D. JUDD, ESQ., to continue the Early Neutral Evaluation
6 deadline and to reschedule the Early Neutral Evaluation scheduled for April 4,
7 2024.

8 This Stipulation is based upon the following:

- 9 1. On December 20, 2023, this Court found that this action should be
10 assigned to the Early Neutral Evaluation (“ENE”) Program. (ECF No. 17).
11 As such, the Court assigned Magistrate Judge Daniel J. Albregts as the
12 evaluating judge in this case.
- 13 2. On December 29, 2023, this Court held that the deadline to hold the Early
14 Neutral Evaluation session and the evaluating judge in this matter shall be
15 the same as those in Case No. 2:23-cv-01310-JCM-NJK. (ECF No. 19).
- 16 3. On February 4, 2024, Magistrate Judge Daniel J. Albregts scheduled the
17 ENE for April 4, 2024, and ordered an attorney of record who will be
18 participating in the trial of this case must be present. (ECF No. 23).
- 19 4. Plaintiff EEOC has a scheduling conflict for the week of the scheduled
20 ENE session, including EEOC’s lead counsel, Lorena Garcia-Bautista,
21 who will be participating in the trial of this case, but is not available to be
22 present at the scheduled ENE on April 4, 2024 since she will be on annual
23 leave the first week of April 2024.
- 24 5. The Parties met and conferred, and Defendant’s counsel does not have
25 any objection to rescheduling the ENE to late April.
- 26 6. Furthermore, the Parties await the Court’s ruling on Defendant’s Motion
27 to Dismiss filed on January 12, 2024 (ECF. 20) and would be better
28 positioned to participate in the ENE after such ruling is issued.

- 1 7. Due to Plaintiff's scheduling conflict and the pending Motion to Dismiss,
2 the parties are seeking an extension of the ENE by three weeks.
3 8. The Parties are available on the following dates: April 24, April 25, April
4 26, April 29, and/or April 30, 2024.
5 9. This additional time requested herein is not sought for the purposes of
6 delay.

7
8 Dated this 15th day of February 2024.

9
10 /s/ Lorena Garcia-Bautista
11 LORENA GARCIA-BAUTISTA,
12 ESQ.
13 SBN 234091
14 ANNA Y. PARK, ESQ.
15 SBN 164242
16 NAKKISA AKHAVAN
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27 /s/ Joshua D. Judd
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Attorneys for Defendants

29 Attestation: The Filer (signatory listed above on behalf of Plaintiff U.S. Equal
30 Employment Opportunity Commission) hereby attests that the other signatory
31 listed above, and on whose behalf the filing is submitted, concur in the filing's
32 content, and have authorized the filing.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

MARISCOS EL PUERTO, INC., LA
CATRINA, LLC; and DOES 1-10,
inclusive,

Defendants.

Case No.: 2:23-cv-01309-JCM-NJK

**ORDER
REGARDING THE STIPULATION
TO CONTINUE THE EARLY
NEUTRAL EVALUATION
DEADLINE AND TO
RESCHEDULE THE EARLY
NEUTRAL EVALUATION
SESSION**

Based on the Stipulation of the parties, and good cause appearing therefor:
IT IS HEREBY ORDERED that the Early Neutral Evaluation scheduled for April 4, 2024 is

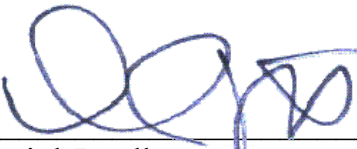
VACATED and **RESET** to **Monday, April 29, 2024 at 10:00 a.m.**

IT IS FURTHER ORDERED that the confidential evaluation statements must be submitted by
4:00 p.m. on Monday, April 22, 2024.

IT IS FURTHER ORDERED that all other provisions of the Court's prior Order (ECF No. 23)
remain in effect.

IT IS SO ORDERED.

DATED: February 21, 2024



Daniel J. Albregts
UNITED STATES MAGISTRATE JUDGE